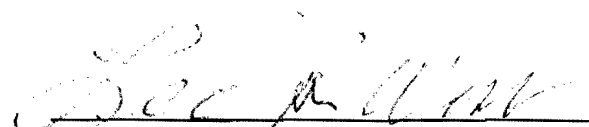


(3) REMANDS this matter to the Commissioner pursuant to sentence four of Section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), for further proceedings before an administrative law judge ("ALJ");

(4) DIRECTS the ALJ upon remand (a) to properly evaluate the opinion of treating physician John Williams, M.D., in accordance with the treating physician rule,¹ e.g., Langley v. Barnhart, 373 F.3d 1116 (10th Cir. 2004); Watkins v. Barnhart, 350 F.3d 1297 (10th Cir. 2003), (b) to clarify which medical-vocational guideline ("grid") is applicable, see 20 C.F.R. Part 404, Subpart P, Appendix 2, if it is determined upon remand that reliance on the grids is appropriate in this case at step 5 of the five-step sequential evaluation process, and (c) to proceed in accordance with Magistrate Judge Argo's Report and Recommendation; and

(5) ORDERS that judgment pursuant to this Order issue forthwith

ENTERED this 12th day of March, 2010.


LEE R. WEST
UNITED STATES DISTRICT JUDGE

¹Because any administrative proceedings may affect Ventris' proposition that the administrative law judge failed to give specific, legitimate reasons for discounting Ventris' subjective complaints of pain, the Court DECLINES to consider such proposition.